

Notice of Allowability

Application No.

09/929,368

Examiner

Michael Kornakov

Applicant(s)

MIZUNO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/03/2004.
2. ☒ The allowed claim(s) is/are 1,3,4 and 13-16.
3. ☒ The drawings filed on 11/16/2001 and correct 03/03/2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 01/24/2002
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. J. Schmidt, esq., on 04/14/2004.

The application has been amended as follows:

In the Abstract replace the word "An" before the words "ultrasonic vibration plate 33 is disposed" by the words ---In a ring shaped part washing method an---
This amendment is made in order to better address the issue of the instant invention.

Response to Applicants' Amendment

2. All previous objections and rejections have been overcome by Applicants' amendment, dated 03/03/2004, and therefore these rejections and objections are withdrawn. The resubmission of IDS, dated 01/24/2002, is acknowledged.

Allowable claims

3. Claims 1, 3, 4, 14-16 are allowed over the prior art of record.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

With regard to claim 4, allowable subject matter has been indicated in the previous Office Action, dated 09/03/2003. Applicants have amended claim 4 accordingly and therefore, claim 4 is found allowable over the prior art of record.

With regard to claims 1,3 and 14-16, applicants introduced a new limitation, specifying the inclined disposition of ring-shaped parts with respect to ultrasonic vibration plate at the angle ranging between 30° and 60°, which is not anticipated or suggested fairly by the closest prior art of record (JP53-27272). Applicants provided factual evidence on this record, that disposing ring-shaped parts at specifically indicated angle range eliminates dead grounds, where ultrasonic waves cannot be propagated on the inner peripheral surfaces of the ring-shaped parts, which provides high washing effect. Therefore, Applicants showed criticality of the specific angle range, as currently amended, in the method of processing ring-shaped parts, and thus rebutted prima facie case of obviousness, because JP53-272 does not provide any suggestion or motivation to maintain such angle within the claimed range.

No other prior art that anticipates or suggests fairly the instant claims has been located as of the date of this office action. Therefore, claims 1,3,4,13-16 are allowed over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Kornakov whose telephone number is (571) 272-1303. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Kornakov
04/14/04

Michael Kornakov
Examiner
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